IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

WARNER BROS. RECORDS, Inc., A	CASE NO. 8:06CV727
Delaware Corporation, CAPITOL)	
RECORDS, Inc., A Delaware	
Corporation, INTERSCOPE)	
RECORDS, A California General)	
Partnership, and SONY BMG MUSIC)	
ENTERTAINMENT, A Delaware)	JUDGMENT BY DEFAULT AND
General Partnership,	PERMANENT INJUNCTION
)	
Plaintiffs,)	
)	
v.)	
TED FREEMAN,	
.	
Defendant.)	

The Plaintiffs' Complaint, which alleges copyright infringement, was filed on November 28, 2006. Defendant Ted Freeman was served with process on December 28, 2006. (Filing No. 6). Upon the Plaintiffs' motion, entry of default was made by the Clerk of the Court. (Filing No. 8). The matter is now before the Court on the Plaintiffs' Motion For Default Judgment, which is supported by Plaintiffs' brief and the Declaration of David V. Clark. (Filing Nos. 10 and 11). Plaintiffs seek default judgment, statutory damages, permanent injunctive relief, and costs from Freeman.

I have reviewed the matter, and I find that the Plaintiffs have complied with Fed. R. Civ. P. 55 and NECivR 55.1(c). "A default judgment entered by the court binds the party facing the default as having admitted all of the well pleaded allegations in the plaintiff's complaint." *Angelo lafrate Const., LLC v. Potashnick Const., Inc.*, 370 F.3d 715, 722 (8th Cir. 2004). Based on the facts as alleged in the Complaint and in the Clark Declaration,

IT IS ORDERED, ADJUDGED AND DECREED:

- 1. Plaintiffs' Motion for Default Judgment (Filing No. 10) is granted;
- Default Judgment is entered in favor of the Plaintiffs and against Defendant Ted
 Freeman as follows:
 - a. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings identified in the attachment to the Complaint, in the total principal sum of Seven Thousand Five Hundred Dollars (\$7,500.00);
 - Defendant shall pay Plaintiffs' costs of suit in the amount of Four Hundred
 Twenty Dollars (\$420.00);
 - c. Defendant is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:
- "Panama," on album "1984 (MCMLXXXIV)," by artist "Van Halen" (SR# 52-319);
- "Dancing With Myself," on album "Billy Idol," by artist "Billy Idol" (SR# 39-673);
- "Rebel Yell" on album "Rebel Yell," by artist Billy Idol (SR# 52-131);
- "Something To Believe" on album "In Flesh and Blood" by artist Poison (SR# 119-355);
- "I Want Action" on album "Look What the Cat Dragged In" by artist Poison (SR# 82-349);
- "She Blinded Me With Science" on album "The Golden Age Of Wireless" by artist Thomas
 Dolby (SR# 46-842);
- "Counterfeit" on album "Three Dollar Bill Y'all \$" by artist Limp Bizkit (SR# 238-798);
- "Open Arms" on album "Escape" by artist Journey (SR# 30-088);
- "Take It on the Run" on album "Hi Infidelity" by artist REO Speedwagon (SR# 24-298);
- "Miami" on album "Big Willie Style" by artist Will Smith (SR# 249-123);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e., upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED this 20th day of March, 2007.

BY THE COURT:

s/Laurie Smith Camp United States District Judge